

REMARKS

Formal drawings are submitted herewith under separate Letter to the Official Draftsperson. Since box 10) was checked in the Office Action Summary (Part of Paper No. 121003), but it was not indicated whether the drawings were accepted or objected to by the Examiner, Applicants attach copies of the formal drawings for the Examiner's convenience. Approval by the Examiner of these drawings is respectfully requested.

By this amendment, claims 1-10 have been deleted and the remaining independent claims have been amended to specify the provision of thermally conductive and inorganic material in a powder form in addition to the powder form of sublimable organic material.

Claims 11-36 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention.

By this amendment, the term "non-sublimable" has been removed from the claims and the term "inorganic" inserted. It is believed that the claims are now clear and definite and the objection by the Examiner has been overcome by this amendment.

Claims 1-36 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-25 of U.S. Patent No. 6,649,436, hereafter '436. Applicants submit herewith a Terminal Disclaimer disclaiming any portion of a patent issuing on the present invention which would extend beyond the terms of U.S. Patent No. 6,649,436. The Terminal Disclaimer is believed to overcome this rejection.

Claims 1, 4-6, 11, 14, and 16-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kojima et al. (U.S. Patent 5,364,253, hereafter '253), Ando (U.S. Patent 4,586,173 is cited as evidence regarding claim 11).

As noted above, claims 1-10 have been deleted. Independent claim 11 and the dependent claims 14, and 16-18 were rejected citing Kojima et al. and Ando. Kojima et al. relates to molding a magnetic circuit component which has a magnetizable material and an organic binder into a part. There is no suggestion in this reference that the organic material is to be sublimed. In fact, there is no reason why anyone would attempt to sublime the material as it functions as a

binder in a final part. Claim 11, as amended, requires the application of heat in a vacuum chamber to sublime the organic material and, of course, there is no suggestion or motivation in Kojima et al. to form a layer. Kojima et al. already has a finalized part.

Ando relates to forming a reflective layer on an optical disk. Ando does not use organic material. In fact, Ando forms his reflective layer by spin coating onto a substrate and not by sublimation. There is no suggestion or motivation in Ando to sublime organic material in a pellet form from a mixture of organic material and inorganic material.

Claims 1-2, 7-8, and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kwok et al. (U.S. Publication 2002/0024297), hereafter '297) in view of Jones (U.S. Patent 4,260,349, hereinafter '349) and Nagashima et al. (U.S. Patent 6,101,316, hereafter '316). Claims 3 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kwok '297 in view of Jones '349 and Nagashima '316 as applied to claims 1 and 7 above, and further in view of Codama et al. (U.S. Patent 6,114,805, hereafter '805).

Claims 1- 10 have been canceled and so this rejection is made moot. Nevertheless, Kwok et al. disclose cold pressing an organic pellet for pulse laser deposition from the pellet to form a layer in a display. There is nothing in Kwok et al. that would suggest two different materials can be used to form a pellet. The organic material to be sublimed and an inorganic material which has the advantage of conducting heat so as to aid in applying heat to the sublimable organic material and provide an improved sublimation process.

Jones discloses a pelletizing machine but provides no indication that organic material, in combination with inorganic material, can be pelletized.

Nagashima does not use a pellet in a deposition process and, moreover, has no suggestion of using pelletized organic and inorganic material for sublimation purposes.

Codama et al. disclose an organic electroluminescent display, but they do not disclose pellets made of two different types of materials.

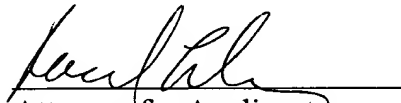
Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kojima '253.

Claim 11 has already been discussed and is believed to define unobvious subject matter. Claim 15, which depends on claim 11, should be allowed along with it.

It is believed that these changes now make the claims clear and definite and, if there are any problems with these changes, Applicants' attorney would appreciate a telephone call.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,



Attorney for Applicants
Registration No. 22,363

Raymond L. Owens/JMD
Rochester, NY 14650
Telephone 585-477-4653
Facsimile 585-477-4646
Enclosures